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10/565,905	01/25/2006	Kohci Yamaguchi	2005_2010A	7348
52349 7590 09/02/2010 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503				
EXAMINER				
HANCE, ROBERT J				
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2421				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/565,905

**Applicant(s)**

YAMAGUCHI ET AL.

**Examiner**

ROBERT HANCE

**Art Unit**

2421

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7,9-11,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-11,15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1+ have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4, 7, 9, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonner et al., US Pub No 2003/0007092 in view of Jung et al., US Patent No. 4,862,290, and further in view of Juneau, US Pub No. 2005/0108529

**As to claim 1** Sonner discloses a broadcast receiving terminal which receives a broadcast wave and displays broadcast contents (Fig. 1: 162; [0056]),

wherein the broadcast wave includes stream information indicating broadcast contents, and outline information indicating an outline of the broadcast contents ([0057]; [0062] – broadcast wave includes program stream information, as well as live play-by-play information), and

said broadcast receiving terminal comprises: a receiving unit operable to receive the broadcast wave (Fig. 3: 310; 330; 380);

a display unit operable to display the broadcast contents (Fig. 1: 164);  
a display control unit operable to perform image processing on the stream information of the broadcast wave received by said receiving unit, and to cause said display unit to display the broadcast contents, when the broadcast contents are to be displayed (Fig. 3: 320; [0075]); and

an outline presentation unit operable to present the outline, so that the outline synchronizes with the broadcast contents, which is indicated by the outline information transmitted by the broadcast wave received by said receiving unit, when the broadcast contents are not displayed ([0062]; [0084]; Fig. 4 - when the broadcast contents of a particular program are not being displayed, the outline for that program are shown).

Sonner fails to disclose a function processing unit operable to activate and terminate a camera function based on a user's operation, a judging unit operable to judge, based on a user's operation, whether or not the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is terminated; wherein said judging unit is operable to: judge that the broadcast contents should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein said function processing unit is further operable to cause, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents while said outline presentation unit presents the outline, so that the presentation of the outline and the display of the function processing image are

performed simultaneously, the function processing image being generated by the camera function and being different from the outline.

However, in an analogous art, Jung discloses a function processing unit operable to activate and terminate a camera function based on a user's operation, a judging unit operable to judge, based on a user's operation, whether or not the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is terminated; wherein said judging unit is operable to: judge that the broadcast contents should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein said function processing unit is further operable to cause, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents (col. 2 line 67 – col. 3 line 2; col. 3 lines 17-22 – a user can select either a camera or a tuner as an input; therefore, when the camera is selected (a camera function is activated), the broadcast contents will not be displayed. When the camera is selected as an input, the “function processing image” is the output from that camera).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Sonner with the teachings of Jung by enabling the play by play information to be displayed not only when another program is being viewed, but also when another input source is selected. The rationale for this

modification would have been to enable users to follow the progress of a sporting event while viewing a camera function.

The combined system of Sonner and Jung fails to disclose wherein the broadcast wave includes a limit flag which limits judgment of said judging unit, and wherein said judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, prevent said function processing unit from activating the predetermined function based on the user's operation and judge that the broadcast contents indicated by the stream information should be continuously displayed after the reception of the limit flag until the release flag is received by said receiving unit; and that the judgment of whether or not to display the broadcast contents occurs before the limit flag is received or after the release flag is received.

However, in an analogous art, Konkwright discloses receiving a limit flag which limits the control of a display device ([0290]-[0292] – SureView advertisements are a limit flag which force a user to view an advertisement), and wherein a judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, that the broadcast contents should be continuously displayed after the reception of the limit flag until the release flag is received regardless of a user's operation ([0290]-[0292] – a user is unable to change channels during a SureView advertisement); a broadcast wave that includes a release flag which releases the limitations on the judgment of a set top box; and that the stream information is continuously displayed until the release flag is received by said receiving unit ([0290]-[0292] – during a "SureView" advertisement, a user is unable to change channels.

When the advertisement finishes, the channel can be changed. Therefore, the end of a "SureView" advertisement is a release flag which releases the limitations on the judgment of the set top box. Because a user is forced to view the SureView advertisement, in the combined system, the system will be unable to activate the camera function during the SureView advertisement).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner and Jung with the teachings of Conkwright, the rationale being to allow users to regain control of their device once a forced advertisement finishes. In this combined system, the contents are not viewed when the camera function is processing, and are viewed when the camera function is terminated (i.e. the input source of Jung is switched to the tuner). The system functions in this manner before a forced advertisement (limit flag) is received and after the release flag is received (i.e. after the advertisement finishes).

**As to claim 3** the combined system of Sonner, Jung, and Conkwright disclose the broadcast receiving terminal according to claim 1, wherein said outline presentation unit is operable to cause said display unit to display the outline as a character string (Sonner Fig. 4).

**As to claim 4** the combined system of Sonner, Jung, and Conkwright disclose the broadcast receiving terminal according to claim 3, wherein said display unit has a first display area, and a second display area smaller than the first display area, said display control unit is operable to display the broadcast contents in the first display area,

and said outline presentation unit is operable to display the outline in the second display area (Sonner Fig. 4).

**As to claim 7** the combined system of Sonner, Jung, and Conkwright discloses the broadcast receiving terminal according to claim 1, wherein said outline presentation unit is further operable to perform image processing on the stream information of the broadcast wave received by said receiving unit, and to cause said display unit to display a moving picture with a lower image quality than the broadcast contents displayed by said display control unit, when said judging unit judges that broadcast contents should not be displayed (Jung col. 2 line 67 – col. 3 line 2; col. 3 lines 17-22 - when the broadcast contents are not being viewed, output from camera 40 will be displayed. Camera 40, being a consumer grade camera, will produce video of lower quality than the professional cameras used to generate broadcast content).

**As to claim 9** the combined system of Sonner, Jung, and Conkwright disclose the broadcast receiving terminal according to claim 1, further comprising a reception unit operable to receive an instruction to display/not display the broadcast contents, based on the user's operation, wherein said judging unit is operable to judge that the broadcast contents should be displayed, when an instruction to display is received by said reception unit, and operable to judge that the broadcast contents should not be displayed, when an instruction not to display is received by said reception unit (Jung col. 2 line 67 – col. 3 line 2; col. 3 lines 17-22 – a user can select either a camera or a tuner as an input. When the camera input is selected, the broadcast contents will not be displayed, which is determined by the signal selector 80).



**As to claim 15** Sonner discloses a broadcast receiving method of a broadcast wave and displays broadcast contents (Fig. 1: 162; [0056]),

wherein the broadcast wave includes stream information indicating broadcast contents, and outline information indicating an outline of the broadcast contents ([0057]; [0062] – broadcast wave includes program stream information, as well as live play-by-play information), and

said broadcast receiving method comprises: a receiving step of receiving the broadcast wave (Fig. 3: 310; 330; 380);

a display control step of executing an image processing on the stream information of the broadcast wave received by said receiving unit, and causing the broadcast contents to be displayed on a display unit, when the broadcast contents are to be displayed (Fig. 3: 320; [0075]); and

an outline presentation step of presenting the outline indicated by the outline information received in said receiving step, so that the outline synchronizes with the broadcast contents, when the broadcast contents are not displayed ([0062]; [0084]; Fig. 4 - when the broadcast contents of a particular program are not being displayed, the outline for that program are shown).

Sonner fails to disclose a function processing step of activating and terminating a camera function based on a user's operation, a judging step of judging that the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is terminated; wherein said judging step is operable to: judge that the broadcast contents

should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein in said function processing step, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents while said outline presentation unit presents the outline, so that the presentation of the outline and the display of the function processing image are performed simultaneously, the function processing image being generated by the camera function and being different from the outline.

However, in an analogous art, Jung discloses a function processing unit operable to activate and terminate a camera function based on a user's operation, a judging unit operable to judge, based on a user's operation, whether or not the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is terminated; wherein said judging unit is operable to: judge that the broadcast contents should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein said function processing unit is further operable to cause, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents (col. 2 line 67 – col. 3 line 2; col. 3 lines 17-22 – a user can select either a camera or a tuner as an input; therefore, when the camera is selected (a camera function is activated), the broadcast contents will not be displayed. When the

camera is selected as an input, the "function processing image" is the output from that camera).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Sonner with the teachings of Jung by enabling the play by play information to be displayed not only when another program is being viewed, but also when another input source is selected. The rationale for this modification would have been to enable users to follow the progress of a sporting event while viewing a camera function.

The combined system of Sonner and Jung fails to disclose wherein the broadcast wave includes a limit flag which limits judgment of said judging unit, and wherein said judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, prevent said function processing unit from activating the predetermined function based on the user's operation and judge that the broadcast contents indicated by the stream information should be continuously displayed after the reception of the limit flag until the release flag is received by said receiving unit; and that the judgment of whether or not to display the broadcast contents occurs before the limit flag is received or after the release flag is received.

However, in an analogous art, Conkwright discloses receiving a limit flag which limits the control of a display device ([0290]-[0292] – SureView advertisements are a limit flag which force a user to view an advertisement), and wherein a judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, that the broadcast contents should be continuously

displayed after the reception of the limit flag until the release flag is received regardless of a user's operation ([0290]-[0292] – a user is unable to change channels during a SureView advertisement); a broadcast wave that includes a release flag which releases the limitations on the judgment of a set top box; and that the stream information is continuously displayed until the release flag is received by said receiving unit ([0290]-[0292] – during a "SureView" advertisement, a user is unable to change channels. When the advertisement finishes, the channel can be changed. Therefore, the end of a "SureView" advertisement is a release flag which releases the limitations on the judgment of the set top box. Because a user is forced to view the SureView advertisement, in the combined system, the system will be unable to activate the camera function during the SureView advertisement).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner and Jung with the teachings of Conkwright, the rationale being to allow users to regain control of their device once a forced advertisement finishes. In this combined system, the contents are not viewed when the camera function is processing, and are viewed when the camera function is terminated (i.e. the input source of Jung is switched to the tuner). The system functions in this manner before a forced advertisement (limit flag) is received and after the release flag is received (i.e. after the advertisement finishes).

**As to claim 16** Sonner et al. disclose a program recorded on a non-transitory computer-readable recording medium, for receiving method of a broadcast wave and displaying broadcast contents (Fig. 1: 162; [0056]),

wherein the broadcast wave includes stream information indicating broadcast contents, and outline information indicating an outline of the broadcast contents ([0057]; [0062] – broadcast wave includes program stream information, as well as live play-by-play information), and

said broadcast receiving method comprises: a receiving step of receiving the broadcast wave (Fig. 3: 310; 330; 380);

a display control step of executing an image processing on the stream information of the broadcast wave received by said receiving unit, and causing the broadcast contents to be displayed on a display unit, when the broadcast contents are to be displayed (Fig. 3: 320; [0075]); and

an outline presentation step of presenting the outline indicated by the outline information received in said receiving step, so that the outline synchronizes with the broadcast contents, when the broadcast contents are not displayed ([0062]; [0084]; Fig. 4 - when the broadcast contents of a particular program are not being displayed, the outline for that program are shown).

Sonner fails to disclose a function processing step of activating and terminating a camera function based on a user's operation, a judging step of judging that the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is

terminated; wherein said judging step is operable to: judge that the broadcast contents should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein in said function processing step, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents while said outline presentation unit presents the outline, so that the presentation of the outline and the display of the function processing image are performed simultaneously, the function processing image being generated by the camera function and being different from the outline.

However, in an analogous art, Jung discloses a function processing unit operable to activate and terminate a camera function based on a user's operation, a judging unit operable to judge, based on a user's operation, whether or not the broadcast contents should be displayed when the camera function is activated, and to judge that the broadcast contents should be displayed when the camera function is terminated; wherein said judging unit is operable to: judge that the broadcast contents should not be displayed, when the camera function is activated, and to judge that the broadcast contents should be displayed, when the camera function is terminated, and wherein said function processing unit is further operable to cause, when the camera function has been activated, said display unit to display a function processing image instead of the broadcast contents (col. 2 line 67 – col. 3 line 2; col. 3 lines 17-22 – a user can select either a camera or a tuner as an input; therefore, when the camera is selected (a camera function is activated), the broadcast contents will not be displayed. When the

camera is selected as an input, the "function processing image" is the output from that camera).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Sonner with the teachings of Jung by enabling the play by play information to be displayed not only when another program is being viewed, but also when another input source is selected. The rationale for this modification would have been to enable users to follow the progress of a sporting event while viewing a camera function.

The combined system of Sonner and Jung fails to disclose wherein the broadcast wave includes a limit flag which limits judgment of said judging unit, and wherein said judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, prevent said function processing unit from activating the predetermined function based on the user's operation and judge that the broadcast contents indicated by the stream information should be continuously displayed after the reception of the limit flag until the release flag is received by said receiving unit; and that the judgment of whether or not to display the broadcast contents occurs before the limit flag is received or after the release flag is received.

However, in an analogous art, Conkwright discloses receiving a limit flag which limits the control of a display device ([0290]-[0292] – SureView advertisements are a limit flag which force a user to view an advertisement), and wherein a judging unit is operable to judge, when said receiving unit receives the limit flag while said display unit displays the broadcast contents, that the broadcast contents should be continuously

displayed after the reception of the limit flag until the release flag is received regardless of a user's operation ([0290]-[0292] – a user is unable to change channels during a SureView advertisement); a broadcast wave that includes a release flag which releases the limitations on the judgment of a set top box; and that the stream information is continuously displayed until the release flag is received by said receiving unit ([0290]-[0292] – during a “SureView” advertisement, a user is unable to change channels. When the advertisement finishes, the channel can be changed. Therefore, the end of a “SureView” advertisement is a release flag which releases the limitations on the judgment of the set top box. Because a user is forced to view the SureView advertisement, in the combined system, the system will be unable to activate the camera function during the SureView advertisement).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner and Jung with the teachings of Conkwright, the rationale being to allow users to regain control of their device once a forced advertisement finishes. In this combined system, the contents are not viewed when the camera function is processing, and are viewed when the camera function is terminated (i.e. the input source of Jung is switched to the tuner). The system functions in this manner before a forced advertisement (limit flag) is received and after the release flag is received (i.e. after the advertisement finishes).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonner, Jung, and Conkwright as applied to claim 1 above, and further in view of Kwoh.



**As to claim 5** the combined system of Sonner, Jung, and Conkwright fails to disclose the broadcast receiving terminal according to claim 1, wherein said outline presentation unit is operable to notify the user of the outline indicated by the outline information with a voice.

However, in an analogous art, Kwoh discloses using text to speech technology to notify a user of an outline indicated by an outline information with a voice (col. 16 lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner, Jung, and Conkwright with the teachings of Kwoh, the rationale being to enable users with vision problems to follow the play by play information.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonner, Jung, and Conkwright as applied to claims 1 and 12 above, and further in view of Tsukagoshi, US Patent No 5,684,542.

**As to claim 6** the combined system of Sonner, Jung, and Conkwright fails to disclose that the outline information includes time information indicating the time when the outline should be presented, and said outline presentation unit is operable to present the outline when the present time matches the time indicated by the time information.

However, in an analogous art, Tsukagoshi discloses including time information with text information which is to be displayed along with broadcast content (col. 11 line 65 - col. 12 line 16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner, Jung, and Conkwright with the teachings of Tsukagoshi. The rationale for this combination would have been to synchronize text and broadcast data when the broadcast is digital, and thus embedding the text in the VBI is not possible. In this situation, including time information with the text would be necessary for the system of Sonner to work.

5. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonner, Jung, and Conkwright as applied to claim 1 above, and further in view of Lee et al., US Pub No 2001/0049296.

**As to claim 10** the combined system of Sonner, Jung, and Conkwright fails to disclose the broadcast receiving terminal according to claim 1, wherein said broadcast receiving terminal is configured in first and second forms, which can be switched between in accordance with a user's operation; and said judging unit is operable to judge that the broadcast contents should be displayed, when said broadcast receiving terminal is in the first form, and to judge that the broadcast contents should not be displayed, when said broadcast receiving terminal is in the second form.

However, in an analogous art, Lee et al. disclose a receiving terminal that is configured in two forms, where the information displayed on the terminal changes when the user changes the form of the terminal (Abstract, Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner, Jung, and Conkwright with the teachings of Lee et al. to display the text summary of the broadcast when the terminal is in a first form, and to display the full video of the broadcast when the terminal is in a second form. The rationale for this combination would have been to allow a user to follow a broadcast program regardless of whether the terminal is in an open or closed state.

**As to claim 11** the combined system of Sonner, Jung, and Conkwright fail to disclose the broadcast receiving terminal according to claim 10, wherein said display unit includes a first display unit, which appears on the surface when said broadcast receiving terminal is in the first form, and a second display unit, which appears on the surface when said broadcast receiving terminal is in the second form, said display control unit is operable to cause said first display unit to display the broadcast contents, and said outline presentation unit is operable to cause said second display unit to display the outline.

However, in an analogous art, Lee et al. disclose a device which has a first display unit which appears on the surface when the device is in a first form and a second display unit which appears on the surface when the device is in a second form (Fig. 3C: 30a and 30b), and the information displayed on the display devices depends

on the form of the device (Fig. 6; Abstract); and a receiving terminal that is configured in two forms, where the information displayed on the terminal changes when the user changes the form of the terminal (Abstract, Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of Sonner, Jung, and Conkwright with the teachings of Lee et al. to display the text summary of the broadcast when the terminal is in a first form, and to display the full video of the broadcast when the terminal is in a second form. The rationale for this combination would have been to allow a user to follow a broadcast program regardless of whether the terminal is in an open or closed state.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT HANCE whose telephone number is (571)270-5319. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

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